

PART 100—STANDARDS OF CONDUCT

AUTHORITY: 5 U.S.C. 7301.

SOURCE: 64 FR 12881, Mar. 16, 1999, unless otherwise noted.

§ 100.1 Ethical conduct standards and financial disclosure regulations.

Employees of the Executive Office of the President are subject to the executive branch-wide standards of ethical conduct at 5 CFR part 2635, and the executive branch-wide financial disclosure regulations at 5 CFR part 2634.

PART 101—PUBLIC INFORMATION PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT

Sec.

- 101.1 Executive Office of the President.
- 101.2 Office of Management and Budget.
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- 101.6 Office of National Drug Control Policy.
- 101.7 Office of Science and Technology Policy.
- 101.8 Office of the United States Trade Representative.

AUTHORITY: 5 U.S.C. 552.

SOURCE: 40 FR 8061, Feb. 25, 1975 and 55 FR 46067, November 1, 1990, unless otherwise noted.

§ 101.1 Executive Office of the President.

Until further regulations are promulgated, the remainder of the entities within the Executive Office of the President, to the extent that 5 U.S.C. 552 is applicable, shall follow the procedures set forth in the regulations applicable to the Office of Management and Budget (5 CFR Ch. III). Requests for information from these other entities should be submitted directly to such entity.

§ 101.2 Office of Management and Budget.

Freedom of Information regulations for the Office of Management and Budget appear at 5 CFR Ch. III.

§ 101.3 Office of Administration.

Freedom of Information regulations for the Office of Administration appear at 5 CFR part 2502.

[55 FR 46037, Nov. 1, 1990]

§ 101.4 National Security Council.

Freedom of Information regulations for the National Security Council appear at 32 CFR Ch. XXI.

§ 101.5 Council on Environmental Quality.

Freedom of Information regulations for the Council on Environmental Quality appear at 40 CFR Ch. V.

[42 FR 65131, Dec. 30, 1977]

§ 101.6 Office of National Drug Control Policy.

Freedom of Information regulations for the Office of National Drug Control Policy appear at 21 CFR parts 1400–1499.

[55 FR 46037, Nov. 1, 1990]

§ 101.7 Office of Science and Technology Policy.

Freedom of Information regulations for the Office of Science and Technology Policy appear at 32 CFR part 2402.

[55 FR 46037, Nov. 1, 1990]

§ 101.8 Office of the United States Trade Representative.

Freedom of Information regulations for the Office of the United States Trade Representative appear at 15 CFR part 2004.

[55 FR 46037, Nov. 1, 1990]

PART 102—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE EXECUTIVE OFFICE OF THE PRESIDENT

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AUTHORITY: 29 U.S.C. 794.

SOURCE: 53 FR 25879, July 8, 1988, unless otherwise noted.

§ 102.101 Purpose.

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

§ 102.102 Application.

This regulation (§§ 102.101–102.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

§ 102.103 Definitions.

For purposes of this regulation, the term—

Agency means, for purposes of this regulation only, the following entities in the Executive Office of the President: the White House Office, the Office of the Vice President, the Office of Management and Budget, the Office of Policy Development, the National Security Council, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Council on Environmental Quality, the Council of Economic Advisers, the Office of Administration, the Office of Federal Procurement Policy, and any committee, board, com-

mission, or similar group established in the Executive Office of the President.

Agency head or head of the agency; as used in §§ 102.150(a)(3), 102.160(d) and 102.170 (i) and (j), shall be a three-member board which will include the Director, Office of Administration, the head of the Executive Office of the President, agency in which the issue needing resolution or decision arises and one other agency head selected by the two other board members. In the event that an issue needing resolution or decision arises within the Office of Administration, one of the board members shall be the Director of the Office of Management and Budget.

Assistant Attorney General means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

Auxiliary aids means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, notetakers, written materials, and other similar services and devices.

Complete complaint means a written statement that contains the complainant's name and address and describes the agency's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

Facility means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances, or other real or personal property.

Historic preservation programs means programs conducted by the agency that

have preservation of historic properties as a primary purpose.

Historic properties means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under a statute of the appropriate State or local government body.

Individual with handicaps means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

As used in this definition, the phrase:

(1) *Physical or mental impairment* includes—

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism.

(2) *Major life activities* includes functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) *Has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means—

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the agency as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the agency as having such an impairment.

Qualified individual with handicaps means—

(1) With respect to preschool, elementary, or secondary education services provided by the agency, an individual with handicaps who is a member of a class of persons otherwise entitled by statute, regulation, or agency policy to receive education services from the agency;

(2) With respect to any other agency program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the agency can demonstrate would result in a fundamental alteration in its nature;

(3) With respect to any other program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and

(4) “Qualified handicapped person” as that term is defined for purposes of employment in 29 CFR 1613.702(f), which is made applicable to this regulation by § 102.140.

Section 504 means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93–112, 87 Stat. 394 (29 U.S.C. 794)), as amended by the Rehabilitation Act Amendments of 1974 (Pub. L. 93–516, 88 Stat. 1617); the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (Pub. L. 95–602, 92 Stat. 2955); and the Rehabilitation Act Amendments of 1986 (Pub. L. 99–506, 100 Stat. 1810). As used in this regulation, section 504 applies only to programs or activities conducted by Executive agencies and not to federally assisted programs.

Substantial impairment means a significant loss of the integrity of finished

materials, design quality, or special character resulting from a permanent alteration.

§§ 102.104–102.109 [Reserved]

§ 102.110 Self-evaluation.

(a) The agency shall, by September 6, 1989, evaluate its current policies and practices, and the effects thereof, that do not or may not meet the requirements of this regulation and, to the extent modification of any such policies and practices is required, the agency shall proceed to make the necessary modifications.

(b) The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the self-evaluation process by submitting comments (both oral and written).

(c) The agency shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:

- (1) A description of areas examined and any problems identified; and
- (2) A description of any modifications made.

§ 102.111 Notice.

The agency shall make available to employees, applicants, participants, beneficiaries, and other interested persons such information regarding the provisions of this regulation and its applicability to the programs or activities conducted by the agency, and make such information available to them in such manner as the head of the agency finds necessary to apprise such persons of the protections against discrimination assured them by section 504 and this regulation.

§§ 102.112–102.129 [Reserved]

§ 102.130 General prohibitions against discrimination.

(a) No qualified individual with handicaps shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

(b)(1) The agency, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap—

(i) Deny a qualified individual with handicaps the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified individual with handicaps an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified individual with handicaps with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aid, benefits, or services to individuals with handicaps or to any class of individuals with handicaps than is provided to others unless such action is necessary to provide qualified individuals with handicaps with aid, benefits, or services that are as effective as those provided to others;

(v) Deny a qualified individual with handicaps the opportunity to participate as a member of planning or advisory boards;

(vi) Otherwise limit a qualified individual with handicaps in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(2) The agency may not deny a qualified individual with handicaps the opportunity to participate in programs or activities that are not separate or different, despite the existence of permissibly separate or different programs or activities.

(3) The agency may not, directly or through contractual or other arrangements, utilize criteria or methods of administration the purpose or effect of which would—

(i) Subject qualified individuals with handicaps to discrimination on the basis of handicap; or

(ii) Defeat or substantially impair accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

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(4) The agency may not, in determining the site or location of a facility, make selections the purpose or effect of which would—

(i) Exclude individuals with handicaps from, deny them the benefits of, or otherwise subject them to discrimination under any program or activity conducted by the agency; or

(ii) Defeat or substantially impair the accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(5) The agency, in the selection of procurement contractors, may not use criteria that subject qualified individuals with handicaps to discrimination on the basis of handicap.

(6) The agency may not administer a licensing or certification program in a manner that subjects qualified individuals with handicaps to discrimination on the basis of handicap, nor may the agency establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with handicaps to discrimination on the basis of handicap. However, the programs or activities of entities that are licensed or certified by the agency are not, themselves, covered by this regulation.

(c) The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or Executive order to individuals with handicaps or the exclusion of a specific class of individuals with handicaps from a program limited by Federal statute or Executive order to a different class of individuals with handicaps is not prohibited by this regulation.

(d) The agency shall administer programs and activities in the most integrated setting appropriate to the needs of qualified individuals with handicaps.

§§ 102.131–102.139 [Reserved]

§ 102.140 Employment.

No qualified individual with handicaps shall, on the basis of handicap, be subject to discrimination in employment under any program or activity conducted by the agency. The definitions, requirements, and procedures of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791), as established by the Equal Employment Opportunity

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Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

§ 102.141–102.148 [Reserved]

§ 102.149 Program accessibility: Discrimination prohibited.

Except as otherwise provided in § 102.150, no qualified individual with handicaps shall, because the agency's facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

§ 102.150 Program accessibility: Existing facilities.

(a) *General.* The agency shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with handicaps. This paragraph does not—

(1) Necessarily require the agency to make each of its existing facilities accessible to and usable by individuals with handicaps;

(2) In the case of historic preservation programs, require the agency to take any action that would result in a substantial impairment of significant historic features of an historic property; or

(3) Require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 102.150(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons

forreaching that conclusion. If an action would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with handicaps receive the benefits and services of the program or activity.

(b) *Methods*—(1) *General*. The agency may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with handicaps. The agency is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The agency, in making alterations to existing buildings, shall meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), and any regulations implementing it. In choosing among available methods for meeting the requirements of this section, the agency shall give priority to those methods that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate.

(2) *Historic preservation programs*. In meeting the requirements of § 102.150(a) in historic preservation programs, the agency shall give priority to methods that provide physical access to individuals with handicaps. In cases where a physical alteration to an historic property is not required because of § 102.150(a) (2) or (3), alternative methods of achieving program accessibility include—

(i) Using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible;

(ii) Assigning persons to guide individuals with handicaps into or through portions of historic properties that

cannot otherwise be made accessible; or

(iii) Adopting other innovative methods.

(c) *Time period for compliance*. The agency shall comply with the obligations established under this section by November 7, 1988, except that where structural changes in facilities are undertaken, such changes shall be made by September 6, 1991, but in any event as expeditiously as possible.

(d) *Transition plan*. In the event that structural changes to facilities will be undertaken to achieve program accessibility, the agency shall develop, by March 6, 1989, a transition plan setting forth the steps necessary to complete such changes. The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the development of the transition plan by submitting comments (both oral and written). A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum—

(1) Identify physical obstacles in the agency's facilities that limit the accessibility of its programs or activities to individuals with handicaps;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the official responsible for implementation of the plan.

§ 102.151 Program accessibility: New construction and alterations.

Each building or part of a building that is constructed or altered by, on behalf of, or for the use of the agency shall be designed, constructed, or altered so as to be readily accessible to and usable by individuals with handicaps. The definitions, requirements, and standards of the Architectural Barriers Act (42 U.S.C. 4151–4157), as established in 41 CFR 101–19.600 to 101–19.607,

apply to buildings covered by this section.

§§ 102.152–102.159 [Reserved]

§ 102.160 Communications.

(a) The agency shall take appropriate steps to ensure effective communication with applicants, participants, personnel of other Federal entities, and members of the public.

(1) The agency shall furnish appropriate auxiliary aids where necessary to afford an individual with handicaps an equal opportunity to participate in, and enjoy the benefits of, a program or activity conducted by the agency.

(i) In determining what type of auxiliary aid is necessary, the agency shall give primary consideration to the requests of the individual with handicaps.

(ii) The agency need not provide individually prescribed devices, readers for personal use or study, or other devices of a personal nature.

(2) Where the agency communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf persons (TDD's) or equally effective telecommunication systems shall be used to communicate with persons with impaired hearing.

(b) The agency shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.

(c) The agency shall provide signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each primary entrance of an accessible facility.

(d) This section does not require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens,

the agency has the burden of proving that compliance with § 102.160 would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this section would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with handicaps receive the benefits and services of the program or activity.

§§ 102.161–102.169 [Reserved]

§ 102.170 Compliance procedures.

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of handicap in programs and activities conducted by the agency.

(b) The agency shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity Commission in 29 CFR part 1613 pursuant to section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

(c) The Director, Facilities Management, Office of Administration, Executive Office of the President, shall be responsible for coordinating implementation of this section. Complaints may be sent to the Director at the following address: Room 486, Old Executive Office Building, 17th and Pennsylvania Ave. NW., Washington, DC 20500.

(d) The agency shall accept and investigate all complete complaints for which it has jurisdiction. All complete complaints must be filed within 180 days of the alleged act of discrimination. The agency may extend this time period for good cause.

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(e) If the agency receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate Government entity.

(f) The agency shall notify the Architectural and Transportation Barriers Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151–4157), is not readily accessible to and usable by individuals with handicaps.

(g) Within 180 days of the receipt of a complete complaint for which it has jurisdiction, the agency shall notify the complainant of the results of the investigation in a letter containing—

(1) Findings of fact and conclusions of law;

(2) A description of a remedy for each violation found; and

(3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 90 days

of receipt from the agency of the letter required by §102.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the head of the agency.

(j) The head of the agency shall notify the complainant of the results of the appeal within 60 days of the receipt of the request. If the head of the agency determines that additional information is needed from the complainant, he or she shall have 60 days from the date of receipt of the additional information to make his or her determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended with the permission of the Assistant Attorney General.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

§§ 102.171–102.999 [Reserved]

Title 3 Finding Aids

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7606	Oct. 9 ...	Columbus Day, 2002	63811
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7609	Oct. 11	National School Lunch Week, 2002	64029
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7625	Nov. 8 ..	World Freedom Day, 2002	69117
7626	Nov. 13	To Implement Modifications to the Carribean Basin Economic Recovery Act and the African Growth and Oppor- tunity Act.	69459
7627	Nov. 14	America Recycles Day, 2002	69657
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13254	Jan. 29	Establishing the USA Freedom Corps	4869
13255	Feb. 6 ...	Amendment to Executive Order 13227, President's Commission on Excellence in Special Education.	6157
13256	Feb. 12	President's Board of Advisors on Histori- cally Black Colleges and Universities.	6823
13257	Feb. 13	President's Interagency Task Force To Monitor and Combat Trafficking in Per- sons.	7259
13258	Feb. 26	Amending Executive Order 12866 on Reg- ulatory Planning and Review.	9385
13259	Mar. 19	Designation of Public International Orga- nizations for Purposes of the Securities Exchange Act of 1934 and the Foreign Corrupt Practices Act of 1977.	13239
13260	Mar. 19	Establishing the President's Homeland Se- curity Advisory Council and Senior Ad- visory Committees for Homeland Secu- rity.	13241
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13263	Apr. 29	President's New Freedom Commission on Mental Health.	22337
13264	June 4 ..	Amendment to Executive Order 13180, Air Traffic Performance-Based Organi- zation.	39243
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13266	June 20	Activities To Promote Personal Fitness	42467
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13276	Nov. 15	Delegation of Responsibilities Concerning Undocumented Aliens Interdicted or Intercepted in the Caribbean Region.	69985
13277	Nov. 19	Delegation of Certain Authorities and Assignment of Certain Functions Under the Trade Act of 2002.	70305
13278	Dec. 11	President's Commission on the United States Postal Service.	76671
13279	Dec. 12	Equal Protection of the Laws for Faith-Based and Community Organizations.	77141
13280	Dec. 12	Responsibilities of the Department of Agriculture and the Agency for International Development With Respect to Faith-Based and Community Initiatives.	77145
13281	Dec. 19	Half-Day Closing of Executive Departments and Agencies of the Federal Government on Tuesday, December 24, 2002.	78319
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Jan. 18	Notice: Continuation of the National Emergency With Respect to Terrorists who Threaten To Disrupt the Middle East Peace Process.	3033
Jan. 25	Presidential Determination No. 02-06: Waiver of Section 907 of the FREEDOM Support Act With Respect to Assistance to the Government of Azerbaijan.	5921
Feb. 1	Memorandum: Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma.	5923
Feb. 23	Presidential Determination No. 02-07: President's Report to Congress on Major Drug Transit or Major Illicit Drug Producing Countries Under the FY 2002 Modification to the Annual Drug Certification Procedures.	9889
Feb. 26	Notice: Continuation of the National Emergency Relating to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels.	9387
Mar. 4	Presidential Determination No. 02-08: Determination Pursuant to Section 523 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002, (Public Law 107-115).	10599
Mar. 5	Memorandum: Action Under Section 203 of the Trade Act of 1974 Concerning Certain Steel Products.	10593
Mar. 12	Presidential Determination No. 02-09: Eligibility of Palau, Kiribati, and Tuvalu To Receive Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act.	13245
Mar. 13	Notice: Continuation of the National Emergency With Respect to Iran.	11553
Mar. 14	Presidential Determination No. 02-10: Designation of Bahrain as a Major Non-NATO Ally.	13247
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Apr. 12	Presidential Determination No. 02-13: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	20425
Apr. 16	Presidential Determination No. 02-14: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization.	20427

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Apr. 18	Presidential Determination No. 02–16: Determination To Authorize the Furnishing of Emergency Military Assistance to the Government of Nigeria.	20431
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Apr. 27	Presidential Determination No. 02–18: Determination To (1) Waive Section 512 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Public Law 107–115) and Section 620(q) of the Foreign Assistance Act of 1961, as Amended, To Provide Assistance to Afghanistan and (2) Authorize a Drawdown Under Section 506(a)(1) of the Foreign Assistance Act of 1961, as Amended, To Provide Emergency Military Assistance to Afghanistan.	31713
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May 16	Notice: Continuation of the National Emergency With Respect to Burma.	35423
May 27	Notice: Continuation of Emergency With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro).	37661
May 27	Presidential Determination No. 02–19: Presidential Determination on Eligibility of East Timor To Receive Defense Articles and Services Under the Foreign Assistance Act of 1961, as Amended, and the Arms Export Control Act.	39245
May 30	Presidential Determination No. 02–20: Provision of \$25.5 Million To Support a Train and Equip Program in Georgia.	39247
June 3	Presidential Determination No. 02–21: Presidential Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for the Republic of Belarus.	40833
June 3	Presidential Determination No. 02–22: Presidential Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority for Vietnam.	40835
June 14	Presidential Determination No. 02–23: Suspension of Limitations Under the Jerusalem Embassy Act.	42705
June 18	Notice: Continuation of the National Emergency With Respect to the Risk of Nuclear Proliferation Created by the Accumulation of Weapons-Usable Fissile Material in the Territory of the Russian Federation.	42181
June 21	Notice: Continuation of the National Emergency With Respect to the Western Balkans.	42703
June 28	Presidential Determination No. 02–24: Presidential Determination To Authorize the Furnishing of Emergency Military Counterterrorism Assistance to the Armed Forces of the Philippines.	46837
July 2	Memorandum: Delegation of Authority Under Section 124 of the National Defense Authorization Act for Fiscal Year 2001.	46575
July 9	Presidential Determination No. 02–25: Delegation of Authority Under Sections 2(d) and 2(f) of the Migration and Refugee Assistance Act of 1962, as Amended.	47437

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July 23	Memorandum: Delegation of Authority With Respect to Concluding Amendments to the July 12, 1999, Agreement Concerning Trade in Certain Steel Products From the Russian Federation.	48741
July 30	Notice: Continuation of the National Emergency With Respect to Iraq.	50341
Aug. 7	Presidential Determination No. 02–27: Presidential Determination on Waiver of Restrictions on Assistance to Russia Under the Cooperative Threat Reduction Act of 1993 and Title V of the FREEDOM Support Act.	53725
Aug. 14	Notice: Continuation of Emergency Regarding Export Control Regulations.	53721
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Aug. 30	Presidential Determination No. 02–29: Presidential Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	57127
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Sept. 13	Presidential Determination No. 02–31: Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act.	58681
Sept. 19	Notice: Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism.	59447
Sept. 23	Notice: Continuation of the National Emergency With Respect to UNITA.	60105
Sept. 26	Order: Designation Under Executive Order 12958	61465
Sept. 30	Presidential Determination No. 02–32: Presidential Determination on the Transfer of Funds From International Organizations and Programs Funds to the Child Survival and Health Programs Fund.	62311
Oct. 1	Memorandum: Notification to the Congress of Trade Negotiations.	62163
Oct. 16	Memorandum: Notification to the Congress of Trade Negotiation.	64515
Oct. 16	Notice: Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia.	64307
Oct. 16	Presidential Determination No. 03–02: Presidential Determination on FY 2003 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status.	65469
Oct. 16	Presidential Determination No. 03–03: Waiver and Certification of Statutory Provisions Regarding the Palestine Liberation Organization.	65471
Oct. 29	Notice: Continuation of the National Emergency With Respect to Sudan.	66525
Nov. 6	Memorandum: Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma.	75799
Nov. 6	Notice: Continuation of Emergency Regarding Weapons of Mass Destruction.	68493

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Nov. 27	Memorandum: Determination Under the Interstate Commerce Commission Termination Act of 1995.	71795
Nov. 29	Presidential Determination 03–04: Imposition and Waiver of Sanctions Under Section 604 of the Foreign Relations Authorization Act, Fiscal Year 2003.	72363
Dec. 7	Presidential Determination 03–05: Presidential Determination of Designations Under the Iraq Liberation Act of 1998.	78121
Dec. 7	Presidential Determination 03–06: Presidential Determination on Authorization to Furnish Drawdown Assistance to the Iraqi Opposition Under the Iraq Liberation Act of 1998.	78123
Dec. 11	Presidential Determination 03–07: Report to the Congress Regarding Conditions in Burma and U.S. Policy Toward Burma.	77645
Dec. 13	Presidential Determination 03–08: Presidential Determination on Suspension of Limitations Under the Jerusalem Embassy Act.	78125
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**Table 4—PRESIDENTIAL DOCUMENTS AFFECTED
DURING 2002**

Editorial note: The following abbreviations are used in this table:

EO	Executive Order
FR	Federal Register
PLO	Public Land Order (43 CFR, Appendix to Chapter II)
Proc.	Proclamation
Pub. L.	Public Law
Stat.	U.S. Statutes at Large
WCPD	Weekly Compilation of Presidential Documents

Proclamations

<i>Date or Number</i>	<i>Comment</i>
5437	See Proc. 7553
6693	Superseded by Proc. 7562
6867	See Notice of Feb. 26, p. 283
6962	See Proc. 7554
7274	See Proc. 7585
7350	See Proc. 7561
7400	See Proc. 7561
7463	See EO 13253; Notice of Sept. 12, p. 308
7529	See Proc. 7576

Executive Orders

<i>Date or Number</i>	<i>Comment</i>
January 9, 1838	Amended by PLO 7542 (67 FR 62812)
May 24, 1847	Revoked by PLO 7545
November 13, 1889	Revoked by PLO 7523 (67 FR 31367)
July 2, 1910	Revoked in part by PLO 7507 (67 FR 1984)
February 1, 1921	Revoked by PLO 7536 (67 FR 56852)
April 17, 1926	Revoked in part by PLO 7508 (67 FR 1983)

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<i>Date or Number</i>	<i>Comment</i>
1405	Revoked in part by PLO 7520 (67 FR 18024)
4203	Revoked in part by PLO 7524 (67 FR 31367)
5327	Revoked in part by PLO 7516 (67 FR 11706)
5672	Revoked in part by PLO 7548 (67 FR 72969)
10173	See EO 13273
11246	Amended by EO 13279
11846	Amended by EO 13277
12170	See Notices of Mar. 13, p. 289; Nov. 12, p. 327
12171	Amended by EO 13252
12345	Revoked by EO 13265
12473	See EO 13262
12543	See Notice of Jan. 3, p. 275
12544	See Notice of Jan. 3, p. 275
12722	See Notice of July 30, p. 305
12724	See Notice of July 30, p. 305
12807	See EO 13276
12808	See Notice of May 27, p. 296
12865	See Notice of Sept. 23, p. 310
12866	Amended by EO 13258; See EO 13272
12876	Revoked by EO 13256
12934	See Notice of May 27, p. 296
12938	See Notice of Nov. 6, p. 326
12947	See Notice of Jan. 18, p. 277
12957	See Notice of Mar. 13, p. 289
12958	See Orders of May 6, p. 295; Sept. 26, p. 311
12959	See Notice of Mar. 13, p. 289
12978	See Notice of Oct. 16, p. 312
13021	Revoked by EO 13270
13047	See Notice of May 16, p. 296
13059	See Notice of Mar. 13, p. 289
13067	See Notice of Oct. 29, p. 315
13069	See Notice of Sept. 23, p. 310
13088	See Notice of May 27, p. 296
13094	See Notice of Nov. 6, p. 326
13098	See Notice of Sept. 23, p. 310
13099	See Notice of Jan. 18, p. 277
13129	See EO 13268
13159	See Notice of June 18, p. 301
13180	Amended by EO 13264
13192	See Notice of May 27, p. 296
13194	See Notice of Jan. 15, p. 276
13213	See Notice of Jan. 15, p. 276
13219	See Notice of June 21, p. 302
13222	See Notice of Aug. 14, p. 306

Table 4—Presidential Documents Affected

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<i>Date or Number</i>	<i>Comment</i>
13223	Amended by EO 13253; <i>See</i> Notice of Sept. 12, p. 308
13224	Amended by EO 13268; <i>See</i> Notice of Sept. 19, p. 309
13227	Amended by EO 13255
13228	<i>See</i> EO 13257
13235	<i>See</i> Notice of Sept. 12, p. 308
13241	Amended by: EO 13261
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13243	Amended by: EO 13261
13244	Amended by: EO 13261
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13247	Amended by: EO 13261
13249	Superseded by: EO 13282
13250	Amended by: EO 13261
13251	Amended by: EO 13261
13253	<i>See</i> Notice of Sept. 12, p. 308

Other Presidential Documents

<i>Date or Number</i>	<i>Comment</i>
Presidential Determination No. 96–7	<i>See</i> Notice of May 27, p. 296
Presidential Determination No. 01–26 ..	<i>See</i> Presidential Determination No. 02–31, p. 308

Table 5—STATUTES CITED AS AUTHORITY FOR PRESIDENTIAL DOCUMENTS

Editorial note: Statutes which were cited as authority for the issuance of Presidential documents contained in this volume are listed under one of these headings. For authority cites for hortatory proclamations, see the text of each proclamation:

United States Code
United States Statutes at Large
Public Laws
Short Title of Act

Citations have been set forth in the style in which they appear in the documents. Since the form of citations varies from document to document, users of this table should search under all headings for pertinent references.

UNITED STATES CODE

<i>U.S. Code Citation</i>	<i>Presidential Document</i>
3 U.S.C. 301	EO's 13253, 13268, 13276; Procs. 7524, 7529, 7576, 7586; Presidential Determination No. 02–25, p. 303; Memorandum of July 23, p. 305
5 U.S.C. 3345 <i>et. seq.</i>	EO 13261; Memorandum of November 26, p. 328
5 U.S.C. 7103(b)(1)	EO 13252
8 U.S.C. 1182(f)	Proc. 7524; EO 13276
8 U.S.C. 1185(a)(1)	EO 13276
8 U.S.C. 1440	EO 13269
10 U.S.C. 801–946	EO 13262
15 U.S.C. 78dd–1(f)(1)(B)(ii).	EO 13259
15 U.S.C. 78dd–2(h)(2)(B)(ii).	EO 13259
15 U.S.C. 78dd–3(f)(2)(B)(ii).	EO 13259
19 U.S.C. 2122 Note ...	Proc. 7554
19 U.S.C. 2253	Proc. 7585
19 U.S.C. 2466a(a)(1)	Proc. 7561
19 U.S.C. 2483	Procs. 7553, 7554, 7616
19 U.S.C. 3706	Proc. 7561
22 U.S.C. 287c	EO 13268
22 U.S.C. 7103	EO 13257
29 U.S.C. 176	EO 13275
50 U.S.C. App. 5(b) note.	Presidential Determination No. 02–31, p. 308

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<i>U.S. Code Citation</i>	<i>Presidential Document</i>
50 U.S.C. 191	EO 13273
50 U.S.C. 1601 <i>et. seq.</i>	EO's 13253, 13268
50 U.S.C. 1701 <i>et. seq.</i>	EO 13268

PUBLIC LAWS

<i>Law Number</i>	<i>Presidential Document</i>
99–190, sec. 118	Proc. 7553
104–45, sec. 7(a)	Presidential Determination No. 03–08, p. 338
105–338	Presidential Determination Nos. 03–05, p. 331, 03–06, p. 331
107–206	Presidential Determination No. 02–27, p. 306
107–210	EO 13277
107–228, sec. 604	Presidential Determination No. 03–04, p. 330

SHORT TITLE OF ACT

<i>Title</i>	<i>Presidential Document</i>
Trade Act of 1974	
Sec. 203	Procs. 7529, 7576
Sec. 604	Procs. 7529, 7576, 7586, 7626
Title V	Proc. 7586

LIST OF CFR SECTIONS AFFECTED

EDITORIAL NOTE: All changes in this volume of the Code of Federal Regulations which were made by documents published in the **Federal Register** since January 1, 2001, are enumerated in the following list. Entries indicate the nature of the changes effected. Page numbers refer to **Federal Register** pages. The user should consult the entries for chapters and parts as well as sections for revisions.

For the period before January 1, 2001, see the “List of CFR Sections Affected, 1949–1963, 1964–1972, 1973–1985, and 1986–2000,” published in 11 separate volumes.

Presidential documents affected during 2002 are set forth in Table 4 on page 363.

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